

Minutes of the State Board of Health July 13, 2005

The Washington State Board of Health (SBOH) met at the Red Lion Hotel in Olympia, Washington. Dr. Tom Locke, WSBOH Chair, called the public meeting to order at 9:20 a.m. and addressed the attendees with the following statement:

“This is a public meeting of the State Board of Health held under provisions of RCW 43.20. Notice of the meeting was provided in accordance with provisions of RCW 34.05, the Administrative Procedures Act. Those members having any conflict of interest on any item coming before the Board will report that conflict with respect to the particular subject under consideration. In case of challenge of any Board members by the public, the Board shall decide the status of the challenged members to participate before considering the substance of the matter.

Copies of all materials supplied to the Board for today’s meeting have been available since close of business last Friday from the Board’s Tumwater office and on the Board’s Web site at www.sboh.wa.gov. They are also available today, along with anything else we have received since, at the table in the back of the room. To conserve public funds, we have only made as many copies as we feel is needed, so we may run out of some particularly popular items. If you do not find a document you need, please ask Desiree Robinson, WSBOH Executive Assistant, or another Board staff person for one.

Our meeting today is open to the public, so please feel free to listen in on informal discussions involving Board members or staff, including any that may occur during breaks or lunch.”

SBOH members present:

Thomas H. Locke, MD, MPH, Chair
Carl Osaki, RS, MSPH, Vice Chair
Ed Gray, MD
Keith Higman
The Honorable Mike Shelton

Charles Chu, DPM
Bill White (for Mary Selecky)
Maxine Hayes, MD (for Mary Selecky)
Mel Tonasket

SBOH members absent:

Frankie Manning, MN, RN
The Honorable David Crump, PhD

State Board of Health Staff present:

Craig McLaughlin, Executive Director
Desiree Robinson, Executive Assistant
Bobbi Berry, Assistant to the Board

Lonnie Peterson, Public Information Officer
Tara Wolff, Health Policy Analyst
Ned Therien, Health Policy Analyst

Guests and Other Participants:

Janice Adair, Department of Health
Karen Arbogast, Department of Health
Janna Bardi, Department of Health
Tony Barrett, Lewis County Public Health
Gil Bolcke, Zip Realty
Annette Bryan, Environmental Protection Agency

Darryl Bullington, Citizen
Melissa Burke-Cain, Office of the Attorney General
Scott Burns, Merck Vaccine Division
Jerry Deeter, Kitsap County Health District
Bill Dewey, Taylor Shellfish Co., Pacific Coast Shellfish Growers Association

Mike Dunning, Department of Health
 Kevin Fitzpatrick, Department of Ecology
 John Glassco, Eco-nomic
 Paul Gruver, Soiltech
 Maryanne Guichard, Department of Health
 The Honorable Pat Hamilton, Pacific County
 Patty Hayes, Department of Health
 JR Inman, WOSSA
 Bob Jacobs, Citizen
 Amy Jankowiak, Department of Ecology
 Terri Jeffreys, Olympic Peninsula Realtors
 Blake Johnston, Infiltrator Systems
 Warren King, Seattle Times
 Amy Manchester Harris, Department of Health
 James Matteucci, Merck
 Brandon Mauck, Infiltrator Systems

 Ruth McDougall, Department of Health
 Frank Meriwether, Department of Health

Patty Miller, Citizen
 Jim Patterson, School Rule Development Committee
 Brian Peyton, Department of Health
 Cynthia Shurtleff, Washington Chapter of the American Academy of Pediatrics
 Art Starry, Thurston County Public Health and Social Services Department
 John Stormon, Department of Ecology
 Sean Sullivan, University of Washington
 John Thayer, Yakima Valley Farm Workers Clinic
 Hank Thietje, Citizen
 John Thomas, WOSSA
 Gayle Thronson, Office of Superintendent of Public Instruction
 Stephen Wecker, Citizen
 Laura White, Department of Health
 Bruce Wishart, People for Puget Sound

APPROVAL OF AGENDA

Motion: Approve July 13, 2005 agenda

Motion/Second: Osaki/Shelton

Approved unanimously

ADOPTION OF MAY 11, 2005 MEETING MINUTES

Motion: Approve the May 11, 2005 minutes

Motion/Second: White/Tonasket

Approved unanimously

Bill White, Deputy Secretary of Health, noted one minor correction to the minutes. On page No. 4, Ms. Carol White should read Ms. Karen White. It should also clarify that Ms. White is not working for the Department of Health (DOH) but rather on assignment to DOH from the Centers for Disease Control and Prevention (CDC).

SBOH ANNOUNCEMENTS AND OTHER BUSINESS

Craig McLaughlin, WSBOH Executive Director, mentioned there would soon be four openings on the Board and directed the Board's attention to a letter from Dr. Larry Jecha behind Tab 3, which indicated that the Washington State Association of Local Public Health Officers was nominating Dr. Kim Thorburn to fill the membership position reserved for a local health officer. Mr. McLaughlin explained that the Office of the Governor prefers having multiple nominees for consideration. He also indicated that the city and county associations recommended an extension of the terms of The Honorable David Crump, WSBOH Member, and The Honorable Mike Shelton, WSBOH Member.

Mr. McLaughlin recognized Ms. Robinson for her five years of state service. He also indicated that this was the last meeting Bobbi Berry, Assistant to the Board, would be attending as her employment with the Board was ending. He expressed appreciation for Ms. Berry's contributions.

Mr. McLaughlin gave a short update on the progress of the strategic plan and talked about the new personnel system that became effective on July 1, 2005. He explained that he had undergone a 360 evaluation and that he would share the results with the Board Chair. Mr. McLaughlin reviewed a response letter from Deputy Secretary White to questions raised at the May 2005 Board meeting.

He gave updates on the progress of several rules, including HIV/AIDS, dead animal disposal, vision screening, deceased remains, and cystic fibrosis screening, and called the members' attention to a few articles in FYI concerning varicella and shingles, shellfish, and thimerosal.

Mr. McLaughlin explained that the budget was due to DOH on July 18, 2005. He noted that any budget concerns regarding the costs of the move were put to rest and thanked DOH for their assistance.

Mel Tonasket, WSBOH Member, asked when the target date was to complete the rule concerning dead animal disposal. Mr. McLaughlin said it would come back to the Legislative Committee in September and to the Board in December.

DEPARTMENT OF HEALTH UPDATE

Deputy Secretary White introduced Brain Peyton, Director of Policy, Legislative, and Constituent Relations, DOH. Deputy Secretary White noted that DOH participated in a four-county emergency preparedness exercise that also involved the military, the CDC, and others. The exercise involved a simulation of the release of bio-terrorism agents. After the exercise, a debriefing regarding communication issues, especially messages to the public, took place. He then informed the Board that DOH would finish consolidating staff in Thurston County onto one campus in the next year. He gave the Board an update on the suspected case of West Nile virus in Spokane. He said the first test by the public laboratory could not confirm West Nile virus infection, and a second sample will be tested. He said this case presented opportunities for conveying prevention messages.

Member Tonasket asked if the emergency preparedness exercise included tribes. He also wondered if the exercise was unannounced and if a public report was available. Deputy Secretary White said he did not know if the tribes were involved. He said the exercise involved a "cold start" and because some of the information was sensitive, it would not be available to the public.

BOARD MEMBER COMMENTS AND CONCERNS

Carl Osaki, WSBOH Vice Chair, reminded the Board that his term is expiring and expressed concern about handing off his projects to other Board members. He wondered if Member Tonasket would take the lead on dead animal disposal.

Dr. Ed Gray, WSBOH Member, updated members on a cross-borders conference that identified barriers to an effective bioterrorism response. He also thanked Deputy Secretary White for his responses to questions posed at the May 2005 Board meeting but had concerns with some of the responses. He explained that he would like more pressure on the national practitioner database to let state agencies use their data at no cost and without unnecessary barriers.

Member Shelton spoke about a meeting of northwest county commissioners that he recently attended. There was an outbreak of tuberculosis (TB) in Snohomish County which turned out to be very costly to the local health jurisdiction (LHJ). He mentioned the lack of a testing requirement for foreign college students and wondered if the Board could address the issue. Member Gray explained that he sees a lot

of latent TB in his role as a civil surgeon. He agreed it was an important issue but did not know if the statute could be modified.

Chair Locke identified two policy issues related to TB—cost and LHJ authority. Costs to LHJs are high, so some have brought up the idea of a risk pool. He noted that LHJs have authority to screen and treat TB infections and felt this was within the Board's jurisdiction. He further indicated that as a local health officer he has ordered testing on a case-by-case basis with good reason. Member Gray indicated that most immigrants are already vaccinated against TB but that some patients will still test positive for TB. Chair Locke suggested that the Board invite Scott Lindquist, Kitsap County Health Officer and state TB consultant, to explore this issue further.

CRUISE SHIP MOU UPDATE

Member Osaki introduced the panel and reminded Board members that at the March 2004 meeting, they heard about concerns over the disposal of wastewater into Washington waters by cruise ships and strategies to implement cooperative control measures with the cruise ship industry through a memorandum of understanding (MOU). He explained that the Department of Ecology (DOE) has been working with the cruise ship industry to modify the MOU to take into account effects on shellfish growing areas.

Amy Jankowiak, DOE, along with Kevin Fitzpatrick, DOE Northwest Region Water Quality Section Manager, presented a slideshow (see Tab 6 for more details). They mentioned that the MOU only applies to ships carrying 1,000 or more passengers. Ms. Jankowiak explained that the cruise ships covered by the MOU have advanced tertiary treatment systems with disinfection. The MOU allows continuous discharge if proper treatment of wastewater is provided. Regular testing of treated wastewater is required. She indicated that DOE recently finalized minor amendments to the MOU with the cruise ship industry. She referred to DOE's 2004 report on the MOU and distributed a map of Washington indicating cruise ship routes in relation to shellfish harvest areas. She said that the 2005 Legislature provided money for a study of whether viruses survive in treated wastewater from cruise ships.

Frank Meriwether, DOH, thanked Ms. Jankowiak for her work. He said the National Shellfish Sanitation Program (NSSP) requires a closure zone around wastewater discharges to assure shellfish do not become a health hazard. The size of the closure zone needed is in question. A study of virus survival will help determine the size of the closure zone around the cruise ship routes. DOH has developed a proposal for such a virus study. Member Osaki asked if the CDC has been involved in evaluating the study. Mr. Meriwether said the United States Food and Drug Administration, the Coast Guard, and the CDC have commented. Chair Locke asked about the probable timeline for the study. Mr. Meriwether said he expected the study to commence before the end of September with sample kits distributed to cruise ships.

Keith Higman, WSBOH Member, asked about virus survival in marine waters. Mr. Meriwether said that some types of viruses could survive in marine sediments for many. Member Shelton asked about the effectiveness of the cruise ship wastewater treatment systems. Mr. Meriwether said the systems might be effective. The virus study will help determine their effectiveness, especially for small round viruses (noroviruses). Mr. Fitzpatrick said ultraviolet (UV) treatment systems disinfect wastewater discharges. Turbidity in the water hinders UV disinfection. The MOU requires continuous monitoring of turbidity. If turbidity remains too high, discharges to marine waters must stop.

The Board took a short break at 10:31 a.m. and reconvened at 10:44 a.m.

WAC 246-100-166, VARICELLA IMMUNIZATION RULE REVISION, CR-102 HEARING

Chair Locke introduced Tara Wolff, WSBOH Staff, who oriented the Board to the materials behind Tab 7. She introduced Patty Hayes, DOH Assistant Secretary, and Janna Bardi, DOH Immunization Program Manager.

Ms. Hayes said fiscal realities affect the implementation plan for the rule provisions. The state of Washington has a policy of universal access for childhood immunizations; however, there continue to be challenges to increase immunization rates, which are still low according to national data. Although immunizations are core public health protections, there is not an overall state policy on adding specific immunizations to requirements for school entry. Washington State does have a policy assuring universal access to required childhood immunizations. She said that DOH is working with partners to evaluate the public health value of specific immunizations and that this may need to be balanced against cost considerations. The new provisions will require DOH to seek a supplemental budget enhancement. DOH will be looking at the fiscal impacts of new immunization requirements with the Office of Financial Management and the Health Care Authority.

Ms. Bardi noted that varicella is not a reportable disease in Washington State. National data indicates that immunizations significantly reduce infection rates. Beside the potential complications of primary chickenpox, the virus can cause shingles many years after primary infection. Immunization programs in other states have significantly reduced infection rates. The rule would require immunization on child care or school entry. The rule makes provision to provide DOH with some flexibility in setting immunization requirements for unimmunized children in higher grades if a vaccine shortage occurs. The vaccine is perishable and requires special handling. Funding considerations justify a July 1, 2006 implementation date for the varicella immunization requirement.

Member Gray commented that his health district chose not to participate in varicella vaccinations after looking at past years because of concerns with expense, short half-life, and transportation. Assistant Secretary Hayes and Ms. Bardi explained DOH's plan to have vaccines distributed directly to providers, rather than through a DOH central location. Even though DOH expects a 20 percent increase in vaccine usage resulting from the new rule, the direct distribution system should simplify the transportation steps and reduce wastage. Dr. Maxine Hayes, State Health Officer, emphasized that Board rules have the ability to improve immunization rates significantly. Member Gray said he still has reservations about having enough funding to implement the new requirements. He wanted to avoid problems as seen with flu vaccine last year. Member Osaki asked which states had similar requirements for varicella. Ms. Bardi said only four states lack such requirements.

Chair Locke opened the meeting to public testimony.

Cynthia Shurtleff, Washington Chapter of the American Academy of Pediatrics, testified in support of the proposed rule and gave an example of a serious case of disease in a child intentionally exposed to active chickenpox at a party.

Chair Locke passed around a letter of support from Carolyn Tolas, President of the State Board of Education, supporting the rule proposal, but also expressing concerns about implementation challenges.

Chair Locke officially closed public testimony.

Motion: The Board adopts the revised WAC 246-100-166 as published in WSR 05-12-139 except in section (4) under subheading (b)(i)(A) strike the incorrect reference to O.D. and replace with D.O. to correctly refer to the abbreviation of a Doctor of Osteopathy.

Motion/Second: Osaki/Higman

Approved unanimously

Member Higman suggested that DOH staff return later to report on implementation. Member Gray pointed out that the letter from Ms. Tolas assumes that public health would support the cost of the immunization. He asked whether the Board was willing to accept that burden to public health. Chair Locke said there were public health benefits and collaborating with schools might help reduce the cost of implementation.

Member Tonasket commented that the Board could not provide money to cover added costs and wondered if the rule would be ignored. Chair Locke said the federal government picks up the cost of vaccines for a large group of children. Those children who do not qualify are not low income and presumably have insurance coverage; however, Washington has established a universal program to save overall immunization costs to the health care system. He encouraged members to consider public health advantages, rather than cost. State Health Officer Hayes said the proposed rule language gives DOH flexibility to make implementation adjustments based on unexpected fiscal problems. Member Tonasket commented that he had concerns about forcing public actions. Chair Locke said parents could sign waivers if they disagree with the requirement for the vaccination. Member Osaki said the example set by the vast majority of states that have adopted similar requirements makes him favor the proposal as good health policy. State Health Officer Hayes encouraged the Board to affirm this policy and to leave implementation issues to DOH to solve.

BRIEFING ON STATE ASTHMA PLAN

Dr. Charles Chu, WSBOH Member, highlighted the number of Washington State residents with asthma, drawing special attention to youth prevalence. He spoke of the importance of paying attention to asthma triggers including smoking. Member Chu commended the California model of no smoking in public places, especially in light of the high costs of asthma to our state. Ms. Wolff stressed the Board's longstanding interest in asthma and described the Board's involvement in the draft plan. She oriented the Board to the materials behind Tab 8 and explained that copies of the draft *Washington State Asthma Plan*, Senate Bill 5841, and the *Burden of Asthma* report were all available for their reference. She introduced Dr. Sean Sullivan, Washington Asthma Initiative (WAI) Chair, and John Thayer, WAI Asthma Plan Project Team Co-Chair. Chair Locke extended a special welcome to Mr. Thayer who at one time served on the Board.

Dr. Sullivan explained that he is Professor of Pharmacy, Public Health, and Medicine at the University of Washington (UW). He acknowledged Amy Manchester Harris and her colleagues at DOH for their work and unique contributions to the partnership. He further explained that a broad-based public-private partnership developed the plan. Dr. Sullivan gave a slideshow presentation about the WAI mission and the background leading to the creation of the draft plan (see slideshow for more details). Mr. Thayer laid out the plan in more detail, including its goals in seven major areas (see Tab 8 and the executive summary of the draft *Washington State Asthma Plan* for more information). In conclusion, Dr. Sullivan talked about the coalition's next steps. He reminded the Board that it was a draft plan and that comments were welcome. He said the Board would be approached for a letter of support. He also

indicated that a fourth asthma summit at UW in the fall would focus on developing structures and processes to help implement the plan.

Member Osaki encouraged the Board to consider asthma issues in the ongoing revision of its school health and safety rules. Member Chu thanked Dr. Sullivan and Mr. Thayer for their presentation and stressed the importance and value of addressing asthma in Washington State.

PUBLIC TESTIMONY ON ISSUES OTHER THAN VARICELLA IMMUNIZATION AND ONSITE SEWAGE SYSTEM RULES

No public testimony was given.

The Board recessed for lunch at 12:05 p.m. and reconvened at 1:37 p.m.

CHAPTER 246-272A WAC, SMALL ONSITE SEWAGE SYSTEM RULE REVISION, CR-102 HEARING

Member Osaki noted that the Board heard public testimony on this issue in March 2004. Due to the testimony as well as Board member concerns and legislative issues, DOH made changes and is presenting them today. He acknowledged DOH's hard work on this issue and its ability to focus on issues requested by the Board. He specifically thanked Janice Adair, DOH Assistant Secretary, and Maryanne Guichard, DOH Director of the Office of Environmental Health and Safety, as well as the Rule Development Committee (RDC) and the Technical Review Committee.

He introduced Mr. McLaughlin who oriented the Board to the materials behind Tab 10. Mr. McLaughlin introduced Ms. Guichard who presented a slideshow on the purpose of the regulations, main categories of change, timeframes, differences between the original and supplemental proposals, effective dates, implementation activities, and next steps (see slideshow for more information).

Member Osaki noted that the rule implementation does not become effective until September 2006 and wondered how LHJs would adjust. Mr. McLaughlin responded that there would be a year for LHJs to prepare for the implementation date and that they could continue to rely on their current codes until the time of implementation.

Member Tonasket asked for clarification about the implementation date and wondered how families who require assistance with day-to-day living would be able to take care of their sewer system. Ms. Guichard said DOH is trying to find resources for families who need assistance. DOH is creating materials that are accessible and understandable to all citizens. Member Tonasket suggested networking with families' caseworkers to help implement the changes. Ms. Guichard said DOH is looking for any partners who would be willing to help.

She also noted that it is common for DOH to ask for delayed effective dates though two areas of this rule will become effective immediately. Mr. McLaughlin said that often, effective dates are included in the rules themselves; however, it is easier to do a section-by-section implementation by specifying dates for each section in the CR-103.

Melissa Burke-Cain, Board Counsel, noted that the Board could make clarification during the course of the motion and authorize it. Chair Locke suggested including any questions of the motion after the Board votes to adopt.

Chair Locke opened the meeting to public testimony and explained the ground rules to the audience.

Public Testimony

Darryl Bullington, Citizen, feels the language for health inspectors is not strong enough and there are too many loopholes.

Bill Dewey, Taylor Shellfish Co. and Pacific Coast Shellfish Growers Association, thanked the Board and DOH for their hard work. He is concerned about operation and maintenance (O&M) plan changes. He would like to see detailed plans required for all 14 marine counties, not just the 12 Puget Sound counties noted in the rule. He would like the word “known” deleted from Section 0015(a).

Art Starry, Thurston County Public Health and Social Services Department, would like the Board to consider extending the implementation date in some sections, to coordinate with the counties’ July 2007 deadline for local management plans. He would like the Board to allow those working with O&M be given latitude to meet local needs. He believes the overall process has worked well.

Bob Jacobs, Citizen, spoke about sewage systems in Thurston County and the impact on shellfish beds, the economy, and the health of the county’s citizens. He urges the Board to avoid jurisdictional divisions and to reach out to other agencies to assure that the entire issue is addressed quickly and effectively. He supports Member Tonasket’s suggestion about coordinating with social service agencies.

Patty Miller, Citizen, spoke about results of the research she has done regarding sewage systems in Washington State. She would like the Board to postpone its decision to a later meeting.

Terri Jeffreys, Olympic Peninsula Realtors, thanked the Board and DOH for putting together the rule. She spoke about helping DOH with homeowner education. She has problems with minimum land area in rural areas and believes performance standards should replace them in the future.

Bruce Wishart, People for Puget Sound, was pleased that the Board is moving forward with regulation updates. He spoke about concerns with the restoration of current minimum lot size requirements and said the rule does not fully address O&M problems.

Hank Thietje, Citizen, is concerned that the Board and DOH are focusing on septic tanks rather than the pollution of Olympia’s water. He is concerned about home resale delays due to placement of septic systems.

Jim Patterson, Rule Development Committee, feels he has wasted his time because the rule does not meet the basics of a proper rule revision. He feels there are no field performance expectations in the rule revision and is worried that his company will lose its approval in Washington State.

The Honorable Pat Hamilton, Pacific County Commissioner, Pacific County, noted that Pacific County is happy with the rule revision as written. Pacific County has collaborated with lending institutions to help low-income families fix their septic tanks, which has been a good incentive program. She wonders how undocumented septic tanks are found and notes that there will be significant impacts to Pacific County’s budget if the rule is implemented. She would like the rules to be science based.

John Glassco, Eco-nomic, spoke about issues with minimum flow operating capacity requirements and possible impacts on resorts. He would like the rules to be science based.

Jerry Deeter, Kitsap County Health District, expressed his concerned about the implementation date and would like it to coincide with the county's local management plan.

Chair Locke closed public testimony and opened the floor to Board discussion. He said the implementation date needs discussion before presenting the motion. The CR-103 will reflect the implementation date. The design standards implementation date will be later.

Motion: The Board repeals portions of Chapter 246-272 WAC as published in WSR 05-02-082 and adopts Chapter 246-272A WAC as published in WSR 05-11-109 with the following changes:

- ***In section 246-272A-0425, replace “(insert a date four years after the effective date of the rules)” with “September 2009.”***
- ***In sections 246-272A-0125, -0135, -0150, and -0175, replace “effective date of this chapter” and similar references with “September 15, 2005” and replace “eighteen months after the effective date of the chapter” and similar references with “March 15, 2007.”***

Motion/Second: Osaki/Higman

Approved unanimously

Member Higman wondered about surge capacity and product registration. Ms. Guichard said all proprietary systems currently on the approved list would remain on the list for 18 months during which time they would reapply and submit testing results. Dave Lenning, DOH, said there is not an answer that would satisfy everybody. He said DOH desires a national model code so requirements can be consistent. Mr. Lenning said when a household goes beyond their tank's capacity the drain field becomes a backup except in coarse or shallow soils. Time dosing is required. Ms. Guichard said the rules are intended for homeowners, not large resorts.

Member Osaki asked about implementation and plan development guidelines. He wondered if LHJs are involved in crafting guidelines or if DOH were doing it themselves. Ms. Guichard said the counties are helping DOH.

Chair Locke noted that some of the testimonies involving issues not dealt with in the draft rule are in the guidance document. He recognized the complexity of the rule. Deputy Secretary White spoke about the challenges of finding unknown systems and reminded the Board that until 1974 there were no rules from the state and records were scarce. He asked if the ability to focus on unknown systems was in the rule. Ms. Guichard said DOH was leaving it to local health to find unknown systems.

Member Shelton said the Board should not be writing rules to accommodate urban densities in rural areas. Chair Locke said he is conscious of how long the code development process takes. Member Shelton agreed with the environmental health directors regarding plan development and supports moving the implementation date to coincide with the counties' July 2007 date. Changing the date would be an amendment to the motion. Member Osaki noted that other counties are unaffected by the plan. He recommended continuing O&M deadlines but delaying everything but the product registration and design aspect of the rule.

Amendment: Change the September 2006 effective date proposed for some portions of the rule to July 1, 2007.

Motion/Second: Gray/Shelton
Approved unanimously

Deputy Secretary White said he recognized that the rule would not be uniformly accepted. He feels it is now relatively succinct and the phase-in process will be helpful.

The Board took a short break at 3:54 p.m. and reconvened at 4:15 p.m.

WAC 246-282-005, MINIMUM PERFORMANCE STANDARDS, SANITARY CONTROL OF SHELLFISH

Member Osaki introduced Ned Therien, WSBOH Staff, who oriented the Board to the materials behind Tab 11. He introduced DOH Assistant Secretary Janice Adair who said DOH is requesting delegation to revise the rule. Chair Locke mentioned the policy that the Board adopted regarding delegation to DOH, noting this request is consistent with those guidelines.

Motion: The Board delegates to the Department of Health authority to adopt a revision to WAC 246-282-005 for the purpose of referencing the most current version of the National Shellfish Sanitation Program's Model Ordinance, the 2003 edition.

Motion/Second: Osaki/Shelton
Approved unanimously

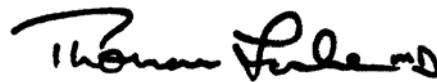
Member Higman noted that the proposed change is in reference to the document. Assistant Secretary Adair said DOH would adopt by reference in the 2003 NSSP. Member Osaki said the Board could take back the issue from DOH at any time.

ADJOURNMENT

Chair Locke adjourned the meeting at 4:22 p.m.

Member Osaki noted that he will continue to be an advocate for public health and welcomed the opportunity to assist the Board in the future. Member Tonasket wished Chair Locke and Member Osaki well.

WASHINGTON STATE BOARD OF HEALTH



Thomas Locke M.D., Chair